

97TH CONGRESS
1ST SESSION

S. 391

[Report No. 97-201]

To amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying certain United States intelligence officers, agents, informants, and sources and to direct the President to establish procedures to protect the secrecy of these intelligence relationships.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3 (legislative day, JANUARY 5), 1981

Mr. CHAFEE (for himself, Mr. GOLDWATER, Mr. BENTSEN, Mr. DANFORTH, Mr. DOMENICI, Mr. GARN, Mr. GLENN, Mr. HAYAKAWA, Mr. JACKSON, Mr. LAXALT, Mr. LUGAR, Mr. NUNN, Mr. PRESSLER, Mr. ROTH, Mr. SCHMITT, Mr. SIMPSON, Mr. WALLOP, Mr. HATCH, Mr. HUDDLESTON, and Mr. THURMOND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

OCTOBER 6 (legislative day, SEPTEMBER 9), 1981

Reported by Mr. DENTON, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying certain United States intelligence officers, agents, informants, and sources and to direct the President to establish procedures to protect the secrecy of these intelligence relationships.

1 “(d) It shall not be an offense under section 601 for an
2 individual to disclose information that solely identifies himself
3 as a covert agent.

4 "PROCEDURES FOR ESTABLISHING COVER FOR
5 INTELLIGENCE OFFICERS AND EMPLOYEES

6 "SEC. 603. (a) The President shall establish procedures
7 to ensure that any individual who is an officer or employee of
8 an intelligence agency, or a member of the Armed Forces
9 assigned to duty with an intelligence agency, whose identity
10 as such an officer, employee, or member is classified informa-
11 tion and which the United States takes affirmative measures
12 to conceal is afforded all appropriate assistance to ensure that
13 the identity of such individual as such an officer, employee,
14 or member is effectively concealed. Such procedures shall
15 provide that any department or agency, *other than the Peace*
16 *Corps*, designated by the President for the purposes of this
17 section shall provide such assistance as may be determined
18 by the President to be necessary in order to establish and
19 effectively maintain the secrecy of the identity of such indi-
20 vidual as such an officer, employee, or member.

21 “(b) Procedures established by the President pursuant to
22 subsection (a) shall be exempt from any requirement for pub-
23 lication or disclosure.